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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n re Application of: Jong-Kwon Kim et al.

Atty. Docket: 5000-1-328

Serial No.

10/645,189

Group Art Unit: 2613

Filed:

August 21, 2003

Examiner: Marina Y. Taranina

Title:

SYSTEM AND METHOD FOR SUPPLYING POWER TO MEDIA

CONVERTERS FOR OPTICAL COMMUNICATION

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA22313-1450

PETITION UNDER 37 C.F.R. § 1.181 TO WITHDRAW NOTICE OF ABANDONMENT

Sir:

Applicant respectfully requests the Assistant Commissioner for Patents to restore the subject application, indicated by the Patent and Trademark Office (PTO) to be abandoned, to pending status on the ground that Applicant never received an Office Action.

FACTS

- 1. Applicants' attorney has conducted a follow up on the pending matter and discovered that the subject application is considered by the PTO have been abandoned by Applicant's failure to respond to an Office Action mailed on October 18, 2006.
- 2. Applicant never had the opportunity to respond to the Office Action by the prescribed due date, as attested to by the accompanying Declarations of Steve Cha and Lorraine Callahan under 1156 O.G. 53.

RELIEF REQUESTED

The Assistant Commissioner is respectfully requested to restore the subject application to pending status and resend the Office Action mailed on October 18, 2006.

FEE

The Assistant Commissioner is hereby authorized to charge Deposit Account No. 502-470 for any petition fee which may be due. However, since it is believed that the holding of abandonment is the result of circumstances not attributable to any fault of Applicants or their representatives, it is respectfully suggested that no fee is due.

Applicants' undersigned attorney may be reached by telephone at (201)226-9245. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

Steve Cha,

Attorney Reg. 44,069

(201)226-9245

CHA & REITER, LLC 210 Route 4 East, #103 Paramus, NJ 07652

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS P.O. Box 1450

Alexandria, VA 22313-1450

On Steve Oho

By 5-24-09



In re Application of: Jong-Kwon Kim et al.

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DECLARATION OF Steve Cha UNDER 1156 O.G. 53

Sir:

I, the undersigned Steve Cha, declare and say that:

- 1. I am a patent attorney for Samsung Electronics Co., Ltd., and I am the attorney who is primarily responsible for prosecution of the subject patent application and is listed on the originally filed Power of Attorney form, which was filed on August 21, 2003.
- 2. The Notice of Office Action at issue was not received by Applicant. To attest to this fact, I have personally searched the file jacket of the subject application and found no record of any such Office Action. According to the examiner, the Office Action was mailed to our previous address at 411 Hackensack Ave, 9th Floor, Hackensack, NJ 07601.
- 3. Our office has moved from the previous address to the current address at 210 Route 4 East #103, Paramus, NJ 07652 at about November of 2003. Prior to the relocation, all the applications in our office including this patent application at issue was associated with our Customer number (33942). To attest this fact, applicant encloses a

copy of application filed on November 19, 2003, including the patent application transmittal form, bearing our customer number (See Exhibit A)

- 4. After the relocation to our current address on November of 2003, a petition to update our address associated with our Customer number was filed on January 30, 2004, and later processed by the Patent and Trademark Office. Since then, our office has been receiving all the correspondences associated with our Customer number correctly to our new location. (See Exhibit B)
- 5. I have checked the pair system for this particular case. However, the system still has our old address despite our request to update to the new address on January 30, 2004. However, the system lists our new phone number.
- 6. After evidencing the correct association of this patent application with our Customer number and petitioning to update the address associated with our Customer number on January 30, 2004 after the relocation, our office has been waiting for the Office Action at the new address as we felt the update was performed diligently.
- 7. Further, after a personal search of the file jacket and reviewing the pertinent records, including the Declaration of Lorraine Callahan and the docket records, I conclude that the Office Action was never received by our office at the correct address.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statement and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title XVIII of United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Dated: May 24, 2007

Steve Cha

Reg. No. 44,069

CHA & REITER, LLC 210 Route 4 East, #103 Paramus, NJ 07652 Tel:201-226-9245

Fax:201-226-9246

MAY 2 9 2007 THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jong-Kwon Kim et al.

Atty. Docket:

5000-1-328

Serial No. 10/645,189

Group Art Unit: 2613

Filed:

August 21, 2003

Examiner:

Marina Y. Taranina

Title:

SYSTEM AND METHOD FOR SUPPLYING POWER TO MEDIA

CONVERTERS FOR OPTICAL COMMUNICATION

DECLARATION OF Lorraine Callahan <u>UNDER 1156 O.G. 53</u>

Sir:

I, the undersigned LORRAINE CALLAHAN, declare and say that:

- 1. I am the Docketing Manager for Cha & Reiter, LLC. My responsibilities include docketing the receipt of documents from the Patent and Trademark Office, maintaining records of such documents and periods for response thereunder. All communications from the Patent and Trademark Office are directed to me immediately upon receipt within the company.
- 2. I maintain a computerized Attorney Master Docket in which is recorded the due date for responding to Office Actions and Communications received from the Patent and Trademark Office. I would have recorded the due date for the Office Action related in our incoming logging sheet and Attorney Master Docket. A copy of incoming mail log, from year 2005, listing all communication from the United States Patent and Trademark Office is attached hereto. (Exhibit C) As the Office Action was never received, the due date was not entered into our computer system.

3. Accordingly, from a review of all of the above-referenced records, it is my belief that the firm of Cha & Reiter, LLC did not receive the Office Action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this Application or any patent issued thereon.

Date: May 24, 2007

Lorraine Callahan

PTO/SB/05 (11-00)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY	Attorr
PATENT APPLICATION	First I
TRANSMITTAL	Title

Attorney Docket No. First Inventor		5000-1-328
		Jong-Kwon KIM et al.
Title SYSTEM AND METHOD FOR		ND METHOD FOR

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Approved for use through 10/31/2002. OMB 0651-0032

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Please type a plus sign (+) inside this box — 🕁

		Assistant Commissioner for Betanto
Expre	ss Mail Label No	_{o.} EV 326741878 US
Title SYSTEM AND METHOD FOR		
First Inventor		Jong-Kwon KIM et al.
Atton	ney Docket No.	5000-1-328

(Only for new non-provisional applications under or or it 1.00(b)) Express Mail Eaber No.				
APPLICATION ELEMENTS	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application			
See MPEP chapter 600 concerning utility patent application conte	nts. Washington, DC 20231 o			
Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	7. CD-ROM or CD-R in duplicate, large table or			
Applicant daims small entity status.	Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission			
See 37 CFR 1.27. Specification Total Pages 17	(if applicable, all necessary)			
3. (preferred arrangement set forth below)	Computer Peadable Form (CDF)			
 Descriptive title of the invention Cross Reference to Related Applications 	b. Specification Sequence Listing on: i. CD-ROM or CD-R (2 copies); or			
- Statement Regarding Fed sponsored R & D	i. CD-ROM or CD-R (2 copies); or			
- Reference to sequence listing, a table,	i i. 🔲 paper			
or a computer program listing appendix - Background of the Invention	c. Statements verifying identity of above copies			
- Brief Summary of the Invention	ACCOMPANYING APPLICATION PARTS			
 Brief Description of the Drawings (if filed) Detailed Description 	9. X Assignment Papers (cover sheet & document(s))			
- Claim(s)	37 CER 3 73(b) Statement Power of			
- Abstract of the Disclosure	(when there is an assignee) X Attorney			
4. X Drawing(s) (35 U.S.C. 113) [Total Sheets 6	11. English Translation Document (if applicable)			
5. Oath or Declaration [Total Pages 3	12. Information Disclosure Copies of IDS Statement (IDS)/PTO-1449 Citations			
a. X Newly executed (original or copy)	13. Preliminary Amendment			
b. Copy from a prior application (37 CFR 1.63 (d)) (for continuation/divisional with Box 18 completed	14. X Return Receipt Postcard (MPEP 503) (Should be specifically itemized)			
i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s)	15. X Certified Copy of Priority Document(s) (if foreign priority is claimed)			
named in the prior application, see 37 CFR	16. Request and Certification under 35 U.S.C. 122			
1.63(d)(2) and 1.33(b).	1.63(d)(2) and 1.33(b). (b)(2)(B)(i). Applicant must attach form PTO/SB/35			
6. Application Data Sheet, See 37 CFR 1.76	or its equivalent.			
18 If a CONTINUING APPLICATION, check appropriate box, and	supply the requisite information below and in a preliminary amendment,			
or in an Application Data Sheet under 37 CFR 1.76:	cappy are required information below and in a promining anionismon,			
Continuation Divisional Continuation-in-part (CIP) of prior application No.:/			
Prior application information: Examiner	Group Art Unit:			
	of the prior application, from which an oath or declaration is supplied under intinuation or divisional application and is hereby incorporated by reference.			
The incorporation can only be relied upon when a portion has been in				
19. CORRESPO	DNDENCE ADDRESS			
X Customer Number or Bar Code Label (Insert Customer No. or Att.				
Name				
Address				
City	State Zip Code			
Country	Telephone Fax			
Name (Print/Type) Steve S. Cha	Steve S. Cha Registration No. (Attorney/Agent) 44,069			
Signature	Date 8/21/03			

Burden Hour Statement: This form is estimated to take 0.2 hours complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Docket No.: 5000-/-318

DECLARATION AND POWER OF ATTORNEY

As a below named inventor (s), I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR SUPPLYING POWER TO MEDIA CONVERTERS FOR OPTICAL COMMUNICATION

,the specification of which is	attached hereto unless the follo	wing box is checked:	
was filed on Number	as United States App and was amended or		International Application applicable).
I acknowledge the duty to dis Federal Regulation, § 1.56. I hereby claim foreign priority patent or inventor's certificate	ewed and understand the contented and understand the contented above. It is in a close information which is mater to be a close information which is mater to be a close in a close information which is material is the content and the content in a close i	erial to patentability as de ed States Code, § 119 of a	efined in Title 37, Code of any foreign application(s) for
Prior Foreign Application(s)			
2002-57000 (Number)	Republic of Korea (Country)	18/09/2002 (Day/Month/Year File	Priority ClaimedYes ☐No ed)
(Number)	(Country)	(Day/Month/Year File	
and, insolar as the subject man application in the manner provide the duty to disclose information	ter of each of the claims of this	s application is not disclo the Title 35, United State	s Code, §112, I acknowledge
(Application Number)	(Filing Date)	(Status - p	patented, pending, abandoned)
(Application Number)	(Filing Date)	(Status - p	patented nending abandoned)

POWER OF ATTORNEY: I hereby appoint as my attorneys and other attorneys or agents the registered persons identified under

CUSTOMER NUMBER 33942

for the law firm of Cha & Reiter, said attorneys or agents with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence to:

Steve S. Cha, Esq. CHA & REITER

CUSTOMER NUMBER

33942

411 HACKENSACK AVE

9TH FLOOR

HACKENSACK, NEW JERSEY 07601

Address all telephone calls to:

Signature:

(201)518-5518:

I (we) hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:	Jong-Kwon KIM
Residence Address:	146-12, Kayang 2-dong, Tong-gu, Taejon-Kwangyokshi.
Post office address:	Republic of Korea Same as above
Citizenship:	Republic of Korea
Date:	August 12, 2003
Signature:	Tong kulon kim
Full name of second inventor:	Dong-Il SEO
Residence Address:	#102-1807, Yukangwoobangtown, Yukang-ri Yonil-eup, Nam-gu,
Post office address:	Pohang-shi, Kyongsangbuk-do, Republic of Korea Same as above
Citizenship:	Republic of Korea
Date:	August 12, 2002

Full name of third inventor:

Residence Address:

Post office address:

Yun-Je OH

#102-202, Dongilhivill, Kusong-myon, Yongin-shi, Kyonggi-do,

Republic of Korea

Same as above

Republic of Korea

Date:

Signature:

Citizenship:

August 12, 2003

Full name of fourth inventor:

Residence Address:

Seong-Taek HWANG

#102-303, Daerim APT., Dokgok-dong, Pyongtaek-shi, Kyonggi-do,

Post office address:

Citizenship:

Republic of Korea Same as above Republic of Korea

Date:

August 12, 2003

Signature:

EXHIBY

PTO/SB/124A (06-03)

Approved for use through 07/31/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
o a collection of information unless it displays a valid OMP

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Request for **Customer Number Data Change**

Address to: Mail Stop EBC Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

To the Commis	ssioner for Patents	y:			3394	2			
Please record the following data changes to Customer Number:									
✓ Please	change Address	to:							
Firm or Individual Name	CHA & REITER	R, LLC							
Address	210 Route 4 E	ast, Suite 103							
Address								7:-	
City	Paramus			State	NJ			Zip	07652
Country	USA				<u> </u>	<u> </u>	<u></u>	<u></u>	
Telephone	201-226-9245			Fax		-226-9246		<u>··</u>	
Please	e delete the follo	wing practitioner	registration	numbe	er(s) f	rom the C	Custome	r Number i	ndicated above:
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✓ Pleas	and the follow	ing practitioner re	gistration n	umber(s) fro	m the Cu	stomer N	lumber ab	ove:
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44,069	42,	576	37,70	9					
C C C C C C C C C C									
Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto (PTO/SB/124B or equivalent) Request Submitted by: (must be a person, e.g. registered practitioner, associated with the customer number shown above)									
1	Firm Name (if applicable) CHA & REITER, LLC								
Name of Pe Submitting	request								
Signature			11			Registra	ation No.	44,069	
Telephone	Number	201-226-9246				\	ate	1/30	
201-220-93-0									

This collection of information is required by 37 OFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mall Stop EBC, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option.

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Docket No	
Serial No. Title. In the Application of the following papers have been received by the following papers have been received by the indicated by the date stamped hereon indicated by the following indicated by the date stamped hereon	Amendment Response Extension of Time Issue Fee Maintenance Fee Appln. TM Registration 8 & 15 Declaration Renewal Application Notice of Appeal Brief

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8 131/06	5000-1- 455	10/681,936	_ OA
8/31/06	5000 -1- 389	10/391,704	FA
8/31/06	5000-1-343	10/648,661	OA
9/1/06	5000-1-675	10/963,942	FA
9/7/06	5000-1-342	10/679.640	OA
9/11/06		101684,881	OA
9/11/05	5000-1-081 CON	11/127, 881	FA
9/11/06	5000-1- 398	101391 670	OA
9/11/06	5000-1- 355	10/459,788	OA
9/11/06	5000-1- 439	10/683, 090	OA
9/11/06	.5000-1-291	10/615,7/1	FA
9/11/06	5000-1- 673	10/991, 317	FA
9/18/06	5000-1-317	10/331, 3/4	FA
9/18/06	5000-1-392	10/638 453	OA
9/20/06	5000-1-361	10 456 144	OA
9/20/06	500-1 776	11/224.152.	OA
9/20/06	5000-1-463	10/712, 962	OA
9/20/06	.5000-1-365	10/712, 962	AA
9/25/06	5000-1-616	101853, 969	OA
9/25/06	5000-1-464	10/686, 860	OA
9/38/06	5000 - 1 · 489	10 730 594	OA
9/28/06	5000-1-358	10/446,463	ΦA
9/28/06	5000 - 1 - 421	10/645,188	OA
9/28/06	5000-1-411	101,406, 468	OA
9/28/06	5000-1- 359	10/632, 480	OA
9/29/06	5000-1-584	10/839,304	AA
9/16/106	5000-1-360	10/456,166	OA

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DATE	FILE NO.	SERIAL NO.	TYPE
10/2/06	5000-1-730	11/280,059	FA
10/2/06	5000-1-543	10/798,662	AA
1015106	5000-1-354	101 657, 369	OA.
1015/06	5000-1-433	10/658,639	OA
10/5/06	5000-1-729	11/247,511	RR
1015/06	5000-1-471	10/691, 359	OA
10/5/06	5000-1-486	101 733 224	OA
10/6/06	5000-1-731	11/148,061	RR
10/10/06	5000-1-740	11/185,105	AA
10/12/06	5000-1-496	10/7/3, 393	OA
10/12/06	5000-1-309	10 1331, 204	OA
10/12/05	5000-1- 672	10 963, 940	OA
10/12/06	5000-1- 782	11/300, 942	OA
10/12/106	5000-1-809	11/285, 845	OA
10115106	5000-1- 493	10 1754, 030	OA
10/16/06	5000-1- 651	101 919, 731	FA
10/16/106	5000-1-544	10/811,599	AA
10/16/06	5000-1-598	10 1862,252	OA.
10/16/06	5000-1-191 Div	10/619,707	AA
10/18/06	5000-:1-615	10 874, 429	AA
10/19/05	5000-1- 519	101728,002	OA
10123106	5000-1-477	10/692, 343	OA
10/23/06	5000 - 1 - 506	10/781,006	OA
10/23/06		11 1327, 029	OA
10/23/06	5000-1- 438	10/634, 700	OA
10/23/06	5000-1- 351	10/683,093	OA
10/23/06	3000-1-641	10 1890, 474	FA
10123106	5000-1-818	11/367, 610	OA
10133106	5000-1-628	10 1684; 069	FA
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2006

DATE	FILE NO.	SERIAL NO.	TYPE
10/23/06	5000-1-676	10/991,614	RR
10 26 106		10/734,789	AA
10/26/06	5000-1-625	101901, 281	FA
10 130106	5000 - 1 - 554	10/794,980	FA FA
10130106	5000-1-491	10/17/17/055	OA
10130106	5000-1- 430	10/17/17,055 10/651, 746	OA:
10130106	5000-1- 556	10 1835, 635	OA
111106	5000-1-701	11/108,979	AA
11/2/06	5000-1-718	11/122, 729	OA
116/06	5000-1- 474	101688, 568	OA
11/6/08	5000-1-276	101278, 305	OA
11/6/06	5000 1. 475	10 1716, 653	OA
11/6/05	5000 - 1 - 117	09/614,709	FA
11/6/06	5000-1-060	69/473,846	FA
11 9 106	5000-1- 867	11/497, 040	OA .
11/9/06	5000-1- 408	10/425, 146	FA
1119/06	5000-1- 092CON	101865,711	FA
11/9/06	5000-1- 423 DIV	11/053, 488	FA
119106	5000-1- 705	11/058 ,793	OA
11/16/06	5001 - 1-460	10 671, 196	OA
1116106	5003-1-002	11/400, 257	OA
11/20/06	5000-1- 194	11/348, 782	OA.
11/20/06	5000-1- 449	10/671, 218	OA
11/20108	5000 - 1 - 503	10/771, 793	OA.
11/20/05	5000-1- 51/	10/771, 603	OA
11/22/06	500 1-586	10/824; 302	AA
11/30/06	5000-1-377	101427; 284	→ FA
12,14106		101781, 037	OA
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